



Patent
098719-100001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

DIMMER, Jerry R. et al.

Serial No.: 10/731,898

Confirmation No.: 4701

Filed: December 9, 2003

For: COVER SYSTEM FOR TRUCK
BOX

Examiner: Unknown

Art Unit: 3677

INFORMATION DISCLOSURE STATEMENT

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Applicants hereby disclose to the Patent Office patents, publications, or other information of which they are aware, that they believe may be material to the patentability of one or more of the pending claims in this application, and with respect to which there may be a duty to disclose in accordance with 37 C.F.R. § 1.56.

CERTIFICATE OF MAILING
(37 C.F.R. § 1.8(a))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as "First Class Mail" in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450.

June 18, 2004

Date of Deposit

LAI-2097695v1

Carolyn L. Evans

Name of Person Mailing Paper

Carolyn L. Evans

Signature of Person Mailing Paper

The items identified in this Information Disclosure Statement may or may not be "material" pursuant to 37 C.F.R. § 1.56, and the submission thereof by Applicants shall not be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 C.F.R. § 1.97(h)), or even qualifies as "prior art" under 35 USC 102 with respect to this invention, unless specifically designated by Applicants as such.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information, as defined in 37 C.F.R. § 1.56, exists.

Attached are Forms PTO/SB/08A and PTO/SB/08B, listing the patents, publications and other information that may be material to the patentability of one or more claims of the subject application. Copies of all of the listed items are enclosed for the Examiner's convenience and consideration. Applicants respectfully request that a copy of the attached Forms, as considered and initialed by the Examiner, be returned with the next communication.

Item 21 listed on the attached Form PTO/SB/08B comprises eight color photographs of a portion of a cover fastening system. The fastening system shown in these photographs is believed to be a product of Lund Industries, Incorporated of Anoka, Minnesota.

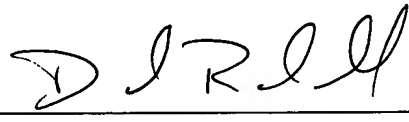
The photos include three views of a channel, two views of the channel with a piece received in the channel, and three views of the piece without the channel. A sample of this device is available for the Examiner's inspection upon request. The earliest date this device was placed on sale, sold or became known to the public is unknown, but it is believed to be early enough to be considered prior art to the subject matter of this application.

Applicants believe that no fee should be required for consideration of this Information Disclosure Statement. Should Applicants be in error, however, please charge any fee required for the consideration of this paper to counsel's Deposit Account No. 50-2468.

Respectfully submitted,

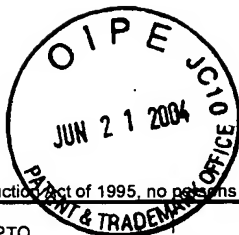
JONES DAY

Dated: June 18, 2004

By: 
David A. Randall
Reg. No. 37,217

555 West Fifth Street, Suite 4600
Los Angeles, California 90013-1025
(213) 489-3939

Enclosures: Form PTO/SB/08A, Form PTO/SB/08B, cited references.



PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

| | |
|------------------------|------------------|
| Application Number | 10/731,898 |
| Filing Date | December 9, 2003 |
| First Named Inventor | Jerry R. Dimmer |
| Art Unit | 3677 |
| Examiner Name | Unknown |
| Attorney Docket Number | 098719-100001 |

Sheet 1 of 2

U. S. PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|-----------------------|--------------------------|--|--------------------------------|--|---|
| | | Number-Kind Code ² (if known) | | | |
| | 1 | US- 2003/0197394 A1 | 10-23-2003 | Dimmer | |
| | 2 | US- 6,568,740 B1 | 05-27-2003 | Dimmer | |
| | 3 | US- 6,543,835 B2 | 04-08-2002 | Schmeichel, et al. | |
| | 4 | US- 6,431,634 B1 | 08-13-2002 | Ananian | |
| | 5 | US- 2002/0096268 A1 | 07-25-2002 | Schmeichel, et al. | |
| | 6 | US- 2002/0093216 A1 | 07-18-2002 | Ananian | |
| | 7 | US- 6,322,129 B2 | 11-27-2001 | Huotari | |
| | 8 | US- 6,293,608 B1 | 09-25-2001 | Dicke, et al. | |
| | 9 | US- 6,257,647 B1 | 07-10-2001 | Ninnes, et al. | |
| | 10 | US- 6,234,561 B1 | 05-22-2001 | Huotari | |
| | 11 | US- 5,906,407 | 05-25-1999 | Schmeichel | |
| | 12 | US- 5,788,315 | 08-04-1998 | Tucker | |
| | 13 | US- 5,365,994 | 11-22-1994 | Wheatley, et al. | |
| | 14 | US- 5,251,951 | 10-12-1993 | Wheatley, et al. | |
| | 15 | US- 5,174,353 | 12-29-1992 | Schmeichel, et al. | |
| | 16 | US- 5,076,338 | 12-31-1991 | Schmeichel, et al. | |
| | 17 | US- 4,991,640 | 02-12-1991 | Verkindt, et al. | |
| | 18 | US- 4,739,528 | 04-26-1988 | Allen | |
| | 19 | US- 4,036,521 | 07-19-1977 | Clenet | |

FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear | T ⁶ |
|-----------------------|--------------------------|---|-----------------------------------|--|---|----------------|
| | | Country Code ³ Number ⁴ Kind Code ⁵ (if known) | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

| | | | | | |
|--|---|----|---|--------------------------|------------------|
| Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i> | | | | Complete if Known | |
| | | | | Application Number | 10/731,898 |
| | | | | Filing Date | December 9, 2003 |
| | | | | First Named Inventor | Jerry R. Dimmer |
| | | | | Art Unit | 3677 |
| | | | | Examiner Name | Unknown |
| Sheet | 2 | of | 2 | Attorney Docket Number | 098719-100001 |

| NON PATENT LITERATURE DOCUMENTS | | | |
|---------------------------------|-----------------------|---|----------------|
| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
| | 20 | VELCRO USA INC., Product Information Guide for "Soft Hardware Fasteners" (2 pages), December 1999, United States | |
| | 21 | Photographs (8 total) of fastening system by Land Industries, Inc. | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

| | | | |
|--------------------|--|-----------------|--|
| Examiner Signature | | Date Considered | |
|--------------------|--|-----------------|--|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.